

**Notice of Allowability****Application No.**

09/921,520

**Examiner**

Danny Nguyen

**Applicant(s)**

MIYAJIMA ET AL.

**Art Unit**

2836

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the applicant or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

This communication is responsive to "the amendment filed 10/06/2003".

Allowed claim(s) is/are 1-10.

Drawings filed on 02 August 2001 are accepted by the Examiner.

Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

☒ All ☐ Some\* ☐ None of the:

1. ☒ Certified copies of the priority documents have been received.

2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.

3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

Certified copies not received: \_\_\_\_\_.

Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application) since a specific reference was included in the first sentence of the specification or in an Application Data Sheet. 37 CFR 1.78.

☐ The translation of the foreign language provisional application has been received.

Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121 since a specific reference was included in the first sentence of the specification or in an Application Data Sheet. 37 CFR 1.78.

As THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted above to timely comply will result in ABANDONMENT of this application. **THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.**

SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.

CORRECTED DRAWINGS (as "replacement sheets") must be submitted.

Including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached

1) ☐ hereto or 2) ☐ to Paper No. \_\_\_\_\_.

Including changes required by the proposed drawing correction filed \_\_\_\_\_, which has been approved by the Examiner.

Including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No. \_\_\_\_\_.

Indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the margin according to 37 CFR 1.121(d).

DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

Attorney(s)

Number of References Cited (PTO-892)

Number of Draftsperson's Patent Drawing Review (PTO-948)

Number of Information Disclosure Statements (PTO-1449 or PTO/SB/08),  
No. \_\_\_\_\_

Examiner's Comment Regarding Requirement for Deposit  
of Biological Material

5 ☐ Notice of Informal Patent Application (PTO-152)

6 ☐ Interview Summary (PTO-413), Paper No. \_\_\_\_\_.

7 ☐ Examiner's Amendment/Comment

8 ☐ Examiner's Statement of Reasons for Allowance

9 ☐ Other \_\_\_\_\_.

***Response to Arguments***

1. Applicant's arguments see Remark, pages 6-9 filed 10/06/2003, with respect to amended claims 1, 5, and 8 have been fully considered and are persuasive. Therefore, claims 1-10 are allowed.

***Allowable Subject Matter***

2. Claims 1-10 are allowed.

The following is a statement of reasons for the indication of allowable subject matter:

Claims 1, 5, 8, recite an actuator drive apparatus comprises a high frequency elimination circuit for eliminating a specific high frequency component of an output signal of said detection coil, wherein said specific high frequency component is generated due to mutual induction of said drive coil and said detection coil and appears in said output signal of said detection coil in synchronism with a leading and trailing edge of the rectangular wave.

The references of record do not teach or suggest the aforementioned limitation, nor would it be obvious to modify those references to include such limitation.

3. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Danny Nguyen whose telephone number is (703)-305-5988. The examiner can normally be reached on Mon to Fri 8:00 AM to 4:30 PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Brian Sircus can be reached on (703)-308-3119. The fax phone number for the organization where this application or proceeding is assigned is (703)-872-9306.

Application/Control Number: 09/921,520  
Art Unit: 2836

Page 3

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is (703)-308-0956.

DN

DN  
December 5, 2003

*Stephen W. Jackson*  
12-15-03

STEPHEN W. JACKSON  
PRIMARY EXAMINER